

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS & ST. JOHN**

RICHARD J. CORNELL	)	
	)	CIVIL NO: 2006-100
Plaintiff,	)	
v.	)	
	)	
THE PIRATES' PENSION BOARD OF	)	ACTION FOR DECLARATORY
DIRECTORS; EQUIVEST ST.	)	JUDGMENT, PRELIMINARY
THOMAS, INC.; FAIRFIELD RESORTS	)	INJUNCTION AND SUPPLEMENTAL
INC. and ZIMMERMAN, ZIEGLER	)	RELIEF
& CHAMBERLAIN	)	
	)	
Defendants.	)	
_____	)	

**MOTION TO VOLUNTARILY DISMISS**

COMES NOW Plaintiff, RICHARD J. CORNELL, by and through his undersigned counsel, and pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, moves this Honorable Court for the entry of an Order Voluntarily Dismissing this matter as to all defendants with prejudice and with all parties bearing their own costs and fees.

WHEREFORE, Plaintiff, RICHARD J. CORNELL, asks this Honorable Court for the entry of an Order dismissing this matter as to all defendants with prejudice and with all parties bearing their own costs and fees.

DATED: August 1, 2008

/s/ Pamela Lynn Colon, Esq.

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### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 1<sup>st</sup> day of August, 2008, I electronically filed the foregoing with the Clerk of the Bankruptcy Court using the CM/ECF system, which will send a notification of such filing (NEF) to W. Todd Boyd, Esq., and Stephen Smith, Esquire, Boyd Mustelier Smith & Parker, P.L., Bank of America Tower at International Place 100 S.E. Second Street– 36<sup>th</sup> Fl., Miami, Florida 33131, Richard H. Dollison, Esquire, 5126 Upper Drake's Passage, Ste. 202, P.O. Box 6785, St. Thomas, VI 00804, Chad Messier, Esquire, Law House, 1000 Frederiksberg Gade, P.O. Box 756, Charlotte Amalie, St. Thomas VI 00804, and Douglas Capdeville, Esquire, 2107 Company Street, Lot #4, St. Croix, VI 00822.

/s/ Pamela Lynn Colon, Esquire

PLC/mt